

**AGENDA  
AVON CITY COUNCIL  
REGULAR MEETING  
MONDAY, MAY 8, 2023**

**7:30 P.M.**

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

2. ROLL CALL

Jennifer Demaline, Ward 1	Bryan Jensen, Mayor
Tammy Holtzmeier, At Large	Ryan Cummins, City Engineer
Dennis McBride, Ward 2	Pam Fechter, Economic Development/Planning Coordinator
Anthony Moore, Ward 3	John Gasior, Law Director
Scott Radcliffe, Ward 4	Steve Presley, Finance Director
Craig Witherspoon, At Large	Duane Streater, Safety/Public Service Director
Brian Fischer, At Large, Council President	Barbara Brooks, Clerk of Council

3. CORRESPONDENCE

- 1.
- 2.

4. ADDITIONS AND DELETIONS TO THE AGENDA

- |   |    |    |
|---|----|----|
| 1. Motion to amend the agenda.            | 1. | 2. |
| 2. Motion to accept the agenda as amended | 1. | 2. |

5. MINUTES OF THE WORK SESSION OF COUNCIL HELD MONDAY, APRIL 17, 2023

Motion to dispense with the reading of the minutes of the Work Session of Council held Monday, April 17, 2023, and to approve said minutes as published.

- |    |    |
|----|----|
| 1. | 2. |
|----|----|

6. MINUTES OF THE REGULAR MEETING OF COUNCIL HELD MONDAY, APRIL 24, 2023

Motion to dispense with the reading of the minutes of the Regular Meeting of Council held Monday, April 24, 2023, and to approve said minutes as published.

- |    |    |
|----|----|
| 1. | 2. |
|----|----|

7. ORDINANCE NO. 55-23 – AMENDING SECTIONS 1262.03, 1264.03, 1270.03, 1274.03 AND 1278.03 OF THE AVON CODIFIED ORDINANCES AS THEY PERTAIN TO FARMS AND LIVESTOCK IN THE CITY OF AVON

The Clerk will read Ordinance No. 55-23 by title only.

The Chairman declares this to be the second of three readings of Ordinance No. 55-23.

A Public Hearing will be held on Monday, May 22, 2023 at 7:05 p.m.

8. ORDINANCE NO. 56-23 – AMENDING SECTION 1280.04 OF THE AVON CODIFIED ORDINANCES DEALING WITH LOT AND YARD REGULATIONS FOR SPECIAL USES IN RESIDENTIAL DISTRICTS AS APPLIED TO FARMS AND LIVESTOCK

The Clerk will read Ordinance No. 56-23 by title only.

The Chairman declares this to be the second of three readings of Ordinance No. 56-23.

A Public Hearing will be held on Monday, May 22, 2023 at 7:10 p.m.

9. ORDINANCE NO. 57-23 – AMENDING SECTION 1280.05 OF THE AVON CODIFIED ORDINANCES DEALING WITH LOT AND YARD REGULATIONS FOR SPECIAL USES IN NONRESIDENTIAL DISTRICTS

The Clerk will read Ordinance No. 57-23 by title only.

The Chairman declares this to be the second of three readings of Ordinance No. 57-23.

A Public Hearing will be held on Monday, May 22, 2023 at 7:15 p.m.

10. [ORDINANCE NO. 58-23](#) – AMENDING SECTION 1280.06 OF THE AVON CODIFIED ORDINANCES DEALING WITH SUPPLEMENTAL REGULATIONS FOR CERTAIN USES AS APPLIED TO FARMS AND LIVESTOCK  
The Clerk will read Ordinance No. 58-23 by title only.  
The Chairman declares this to be the second of three readings of Ordinance No. 58-23.  
A Public Hearing will be held on Monday, May 22, 2023 at 7:20 p.m.
11. [ORDINANCE NO. 59-23](#) – AMENDING SECTION 1222.02 OF THE AVON CODIFIED ORDINANCES TO DEFINE TERMS RELATED TO FARMING AND LIVESTOCK  
The Clerk will read Ordinance No. 59-23 by title only.  
The Chairman declares this to be the second of three readings of Ordinance No. 59-23.  
A Public Hearing will be held on Monday, May 22, 2023 at 7:25 p.m.
12. [ORDINANCE NO. 60-23](#) – TO ACCEPT IMPROVEMENTS IN FIELDSTONE LANDING SUBDIVISION NO. 1  
The Clerk will read Ordinance No. 60-23 by title only.  
The Chairman declares this to be the second of three readings of Ordinance No. 60-23.  
Motion to suspend the rules and act on Ordinance No. 60-23. 1. 2.  
  
Motion to adopt Ordinance No. 60-23. 1. 2.
13. [ORDINANCE NO. 64-23](#) – TO AMEND A SPECIAL USE PERMIT GRANTED TO THE CITY OF AVON FOR A PUBLIC PARK LOCATED ON EATON DRIVE AND KNOWN AS NORTHGATE COMMUNITY PARK TO INCLUDE ADDITIONAL IMPROVEMENTS  
The Clerk will read Ordinance No. 64-23 by title only.  
Motion to suspend the rules and act on Ordinance No. 64-23. 1. 2.  
  
Motion to adopt Ordinance No. 64-23. 1. 2.
14. [ORDINANCE NO. 65-23](#) – AMENDING '256.04 OF THE CODIFIED ORDINANCES OF THE CITY OF AVON TO ELIMINATE THE POSITION OF COMMUNICATIONS MANAGER – POLICE DEPARTMENT  
The Clerk will read Ordinance No. 65-23 by title only.  
Motion to suspend the rules and act on Ordinance No. 65-23. 1. 2.  
  
Motion to adopt Ordinance No. 65-23. 1. 2.
15. [ORDINANCE NO. 66-23](#) – TO AMEND SECTION 1072.03 OF THE CODIFIED ORDINANCES OF THE CITY OF AVON TO INCREASE FEES FOR THE USE OF AVON-LIONS COMMUNITY CENTER  
The Clerk will read Ordinance No. 66-23 by title only.  
Motion to suspend the rules and act on Ordinance No. 66-23. 1. 2.  
  
Motion to adopt Ordinance No. 66-23. 1. 2.
16. [ORDINANCE NO. 67-23](#) – TO AMEND SECTION 1073.03(b) OF THE CODIFIED ORDINANCES OF THE CITY OF AVON TO INCREASE FEES FOR THE USE OF AVON ISLE  
The Clerk will read Ordinance No. 67-23 by title only.  
Motion to suspend the rules and act on Ordinance No. 67-23. 1. 2.  
  
Motion to adopt Ordinance No. 67-23. 1. 2.

17. ORDINANCE NO. 68-23 – TO GRANT A SPECIAL USE PERMIT TO DeVILLE DEVELOPMENTS, LLC TO CONSTRUCT AN OUTDOOR PATIO SEATING AREA FOR THEIR 2,554 SQ. FT. BUILDING TO BE LOCATED AT 1443 NAGEL ROAD SAID BUILDING TO BE LEASED TO THEIR TENANT, STARBUCKS

The Clerk will read Ordinance No. 68-23 by title only.

The Chairman declares this to be the first of three readings of Ordinance No. 68-23.

18. ORDINANCE NO. 69-23 – GRANTING A SPECIAL USE PERMIT TO DeVILLE DEVELOPMENTS, LLC TO CONSTRUCT AN OUTDOOR PATIO SEATING AREA FOR THEIR 7,180 SQ. FT. BUILDING TO BE LOCATED AT 1485 NAGEL ROAD SAID BUILDING TO BE LEASED TO THEIR TENANT, CHIPOTLE

The Clerk will read Ordinance No. 69-23 by title only.

The Chairman declares this to be the first of three readings of Ordinance No. 69-23.

19. ORDINANCE NO. 70-23 – TO GRANT A SPECIAL USE PERMIT TO DeVILLE DEVELOPMENTS, LLC TO CONSTRUCT AN OUTDOOR PATIO SEATING AREA FOR THEIR 6,800 SQ. FT. BUILDING TO BE LOCATED AT 33420 JUST IMAGINE DRIVE SAID BUILDING TO BE LEASED TO THEIR TENANT, NOODLES

The Clerk will read Ordinance No. 70-23 by title only.

The Chairman declares this to be the first of three readings of Ordinance No. 70-23.

20. ORDINANCE NO. 71-23 – AUTHORIZING AN EXTENSION OF TIME WITHIN WHICH TO COMPLETE IMPROVEMENTS IN CONCORD VILLAGE SUBDIVISION NO. 3

The Clerk will read Ordinance No. 71-23 by title only.

Motion to suspend the rules and act on Ordinance No. 71-23. 1. 2.

Motion to adopt Ordinance No. 71-23. 1. 2.

21. RESOLUTION NO. R-23-23 – IN SUPPORT OF SUBMISSION OF AN APPLICATION TO THE OHIO ASSOCIATION OF REGIONAL COUNCILS (OARC) THROUGH THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY (NOACA) FOR FEDERAL CONGESTION MITIGATION AND AIR QUALITY (CMAQ) FUNDING

The Clerk will read Resolution No. R-23-23 by title only.

Motion to suspend the rules and act on Resolution No. R-23-23. 1. 2.

Motion to adopt Resolution No. R-23-23. 1. 2.

22. REPORTS AND COMMENTS

MAYOR JENSEN

COUNCIL MEMBERS:

MRS. DEMALINE, WARD 1

MRS. HOLTZMEIER, AT LARGE

MR. MCBRIDE, WARD 2

MR. MOORE, WARD 3

MR. RADCLIFFE, WARD 4

MR. WITHERSPOON, AT LARGE

MR. FISCHER, AT LARGE

DIRECTORS/ADMINISTRATION:

MR. CUMMINS, CITY ENGINEER

MS. FECHTER, ECONOMIC DEVELOPMENT/PLANNING COORDINATOR

MR. GASIOR, LAW DIRECTOR

MR. PRESLEY, FINANCE DIRECTOR

MR. STREATOR, SAFETY/PUBLIC SERVICE DIRECTOR

AUDIENCE:

23. ADJOURN:  
Motion to adjourn the Regular Meeting of Council
- |  |    |    |
|--|----|----|
|  | 1. | 2. |
|--|----|----|